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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/551,786	04/18/2000	Jarkko Sevanto	460-009376-US(PAR)	2605

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EXAMINER

NAJJAR, SALEH

ART UNIT	PAPER NUMBER
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2157

DATE MAILED: 03/11/2004

12

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/551,786

Applicant(s)

SEVANTO ET AL.

Examiner

Saleh Najjar

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

1. This action is responsive to the amendment filed December 11, 2003. Claims 1-19 are pending.

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ritter et al., U.S. Patent No. 5,570,084 further in view of Holmes et al., U.S. Patent No. 6,178,331.

Ritter teaches the invention substantially as claimed including a method and system for loose source routing of packets over disparate network types in a packet communication network (see abstract).

As to claim 1, Ritter teaches a method for the transmission of messages in a communication system from a transmitting terminal (MS1) to a receiving terminal (RH, MS2), which communication system comprises at least a first communication network (NW1) (70), a second communication network (NW2) (72) and a message switching center (MMSC) (12), in which first communication network (NW1) at least a first address type is used as the terminal address and in which second communication network (NW2) at least a second address type is used as the terminal address, and in which system the address of the receiving terminal (RH, MS2) is annexed to said media message, characterized in that the media message is further supplemented with data on the type of said address, wherein the message is transmitted from the transmitting terminal (MS-L) to said message switching center (MMSC), in which the type of the address of the receiving terminal (RH, MS2) is examined, and said address type is used to select the communication network (NW1, NW2) to be used in the transmission of the message from the message switching center (MMSC) to the receiving terminal (RH,

MS2) (see figs. 1-8; col. 2-6, Ritter discloses that the packet is supplemented with address type information so that the proper network is used as the next to destination).

Ritter does not explicitly disclose Multimedia Message. Ritter does teach that the packets transmitted represent IP packets (see col. 1-2).

However, Holmes teaches a system and process for allowing wireless multimedia messaging (see abstract). Holmes teaches a multimedia message (see col. 2-5).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Ritter in view of Holmes so that packets are specified as multimedia packets. One would be motivated to do so to allow the transmission of different media (text, fax, e-mail) using the wireless packets.

As to claim 2, Ritter teaches the method according to claim 1, characterized in that the first communication network (NW1) used is a mobile communication network and the second communication network (NW2) used is the Internet data network (see figs. 1-4; col. 2-4).

As to claim 3, Ritter teaches method according to claim 2.

Ritter fails to teach the limitation characterized in that the first address type is an MSISDN number and the second address type is an SMTP address.

However, Holmes teaches a system and process for allowing wireless multimedia messaging (see abstract). Holmes teaches that the first address type is an MSISDN number and the second address type is an SMTP address (see col. 2-5, Holmes discloses that an MSISDN number and an SMTP address is defined for communicating terminals).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Ritter in view of Holmes so that MSISDN and SMTP addressing is specified. One would be motivated to do so to allow the use of email addresses and GSM system telephone numbers in routing.

As to claim 4, Ritter teaches the method according to claim 2, characterized in that in the first communication network (NW1), messages are transmitted by using a first communication protocol, and in the second communication network (NW2),

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multimedia messages are transmitted by using a second communication protocol, and that the format of the data on the type of the address to be annexed to the multimedia message is independent of said communication protocols for multimedia messages (see figs. 1-8; col. 2-6).

As to claim 5, Ritter teaches the method according to claim 1, characterized in that the media message is transmitted to two or more receivers, wherein the message is supplemented with the address of the terminal (RH, MS2) of each receiver, as well as data on the type of each address (see col. 2-6).

As to claim 6, Ritter teaches the method according to claim 1.

Ritter fails to teach the limitation characterized in that the communication system is provided with a multimedia Messaging service transfer protocol (MMTP), wherein multimedia messages to be transmitted from the transmitting terminal (MSI) to the multimedia message switching center (MMSC) are converted into messages complying with said multimedia Messaging service transfer protocol (MMTP). Ritter does teach that the packets transmitted represent IP packets (see col. 1-2).

However, Holmes teaches a system and process for allowing wireless multimedia messaging (see abstract). Holmes teaches a MMTP (see col. 2-5).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Ritter in view of Holmes so that packets are specified using MMTP. One would be motivated to do so to allow the transmission of different media (text, fax, e-mail) using the wireless packets.

As to claims 7-8, Ritter teaches the method according to claim 1.

Ritter does not explicitly teach the limitation characterized in that said data on the address type is given in text format or hexadecimal character string.

However, text and Hexadecimal address formats are old and well known in the art. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Ritter by implementing text or Hexadecimal address format. One would be motivated to do so since text or Hexadecimal allow more succinct representation than binary for representing bit-masks, machines addresses, and other low-level constants.

As to claim 9, Ritter teaches the method according to claim 1, characterized in that said data on the address type is given as a binary number (see col. 2-5).

As to claim 10, Ritter teaches the method according to claim 1, characterized in that in the method, two or more formats are used in the address and the address type data of said receiving terminal (RH, MS2), wherein in the method the multimedia message is also supplemented with data on the format used in the address and the address type data (see col. 2-5).

Claims 11-19 do not teach or define any new limitations above claims 1-10 and therefore are rejected for similar reasons.

4. Applicant's arguments with respect to claims 1-19 filed on June 19, 2003 are moot in view of the new grounds of rejection.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Saleh Najjar whose telephone number is (703) 308-7613. The examiner can normally be reached on Monday-Friday from 6:30 to 3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, *Ario Etienne*, can be reached on (703) 308-7562.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-9600. The central official fax number for the group is (703) 872-9306.



Saleh Najjar

Primary Examiner / Art Unit 2157